

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IN THE MATTER OF THE EXTRADITION)	
)	
OF)	MISCELLANEOUS
)	NO. 05-1609-CBS
BOGDANS HVALEJS)	
_____)	

ORDER OF DETENTION
December 19, 2005

SWARTWOOD, C.M.J.

I. Background

On January 12, 2005, the United States filed a Complaint for provisional arrest with a view towards extradition of Bogdans Hvalejs ("Mr. Hvalejs") from the United States to Latvia in accordance with treaties between the two countries and 18 U.S.C. §3184.

On July 26, 2005, Mr. Hvalejs appeared before me for his initial appearance in connection with this Complaint. At that time, the Government moved for a detention hearing in accordance with 18 U.S.C. §3142(f)(2)(A) (Mr. Hvalejs poses a risk of flight if released). However, since Mr. Hvalejs was in state custody when he initially appeared before me in connection with this Complaint for extradition, no hearing was held.

On December 13, 2005, an extradition hearing was scheduled and Mr. Hvalejs appeared at that hearing after having been released from state custody and arrested by the U.S. Marshal Service. The

extradition hearing was continued because of a problem with the interpreter and at that hearing, the Government reasserted its motion for detention, Mr. Hvalejs assented to an Order of Detention pending a final decision on his extraditability.

V. Order of Detention

In accordance with the foregoing memorandum,
IT IS ORDERED:

1. That Mr. Hvalejs be committed to the custody of the Attorney General or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. That Mr. Hvalejs be afforded a reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Hvalejs is detained and confined shall deliver Mr. Hvalejs to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145 (b) .

/S/CHARLES B. SWARTWOOD, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE